

16 NOV. 2006

Expéditeur : le BUREAU INTERNATIONAL

PCT

NOTIFICATION DE TRANSMISSION DE COPIES
DE LA TRADUCTION DU RAPPORT D'EXAMEN
PRÉLIMINAIRE INTERNATIONAL
SUR LA BREVETABILITÉ (CHAPITRE I OU CHAPITRE II
DU TRAITE DE COOPERATION EN MATIERE DE BREVETS)

(règles 44bis.3.c) et 72.2 du PCT)

Destinataire :

LARCHER, Dominique
Cabinet Vidon
Technopole Atalante
16B, rue de Jouanet
BP 90333
F-35703 Rennes Cedex 7
FRANCE

| | |
|----------------------------------------------------------------------|-------------------------------------------------------------------------------|
| Date d'expédition (jour/mois/année) 09 novembre 2006 (09.11.2006) | |
| Référence du dossier du déposant ou du mandataire 9377WO | NOTIFICATION IMPORTANTE |
| Demande internationale n° PCT/FR2005/000235 | Date du dépôt international (jour/mois/année) 03 février 2005 (03.02.2005) |
| Déposant AEREL etc | |

1. Transmission de la traduction au déposant.



Le Bureau international transmet ci-joint copie de la traduction en langue anglaise du rapport préliminaire international sur la brevetabilité (chapitre I).



Le Bureau international transmet ci-joint copie de la traduction en langue anglaise du rapport préliminaire international sur la brevetabilité (chapitre II).

2. Transmission d'une copie de la traduction aux offices désignés ou élus.

Le Bureau international notifie au déposant qu'une copie de cette traduction a été transmise aux offices désignés ou élus suivants qui exigent la traduction en question:

Aucun

Les offices désignés ou élus suivants ayant renoncé à l'exigence selon laquelle la transmission doit être effectuée à cette date recevront une copie de cette traduction du Bureau international seulement à leur demande:

AE, AG, AL, AM, AP, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EA, EC, EE, EG, EP, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SM, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

3. Rappel concernant la traduction dans la ou l'une des langues officielles de l'office ou des offices élus.

Il est rappelé au déposant que, lorsqu'une traduction de la demande internationale doit être remise à un office élu, cette traduction doit comporter la traduction de toute annexe du rapport préliminaire international sur la brevetabilité (chapitre II).

Il appartient au déposant d'établir la traduction en question et de la remettre directement à chaque office élu intéressé dans le délai applicable (règle 74.1). Voir le volume II du Guide du déposant du PCT pour de plus amples renseignements.

| | |
|----------------------------------------------------------------------------------------|-----------------------------------------------|
| Bureau international de l'OMPI 34, chemin des Colombettes 1211 Genève 20, Suisse | Fonctionnaire autorisé Beate Giffo-Schmitt |
| n° de télécopieur +41 22 338 82 70 | n° de télécopieur +41 22 338 82 70 |

TRAITÉ DE COOPÉRATION EN MATIÈRE DE BREVETS

PCT

RAPPORT PRÉLIMINAIRE INTERNATIONAL SUR LA BREVETABILITÉ

(chapitre I du Traité de coopération en matière de brevets)

(règle 44bis du PCT)

| | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|------------------------------------------------------------------------------|----------------------------|
| Référence du dossier du déposant ou du mandataire 9377WO | POUR SUITE À DONNER | | Voir le point 4 ci-dessous |
| Demande internationale no. PCT/FR2005/000235 | Date du dépôt international (<i>jour/mois/année</i>) 03 February 2005 (03.02.2005) | Date de priorité (<i>jour/mois/année</i>) 09 February 2004 (09.02.2004) | |
| Classification internationale des brevets (8 ^e édition, sauf indication d'une #dition ant#rieure) Voir les informations pertinentes dans le formulaire PCT/ISA/237 | | | |
| Déposant AEREL | | | |

1. Le présent rapport préliminaire international sur la brevetabilité (chapitre I) est établi par le Bureau international au nom de l'administration chargée de la recherche internationale selon la règle 44bis.1.a).

2. Ce RAPPORT comprend un total de 5 feuilles, y compris la présente feuille de couverture.

Dans les feuilles jointes, toute référence à l'opinion écrite de l'administration chargée de la recherche internationale doit être entendue, à la place, comme une référence au rapport préliminaire international sur la brevetabilité (chapitre I).

3. Le présent rapport contient des indications relatives aux points suivants :

- | | | |
|-------------------------------------|---------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> | Cadre n° I | Base de l'opinion |
| <input type="checkbox"/> | Cadre n° II | Priorité |
| <input type="checkbox"/> | Cadre n° III | Absence de formulation d'opinion quant à la nouveauté, l'activité inventive et la possibilité d'application industrielle |
| <input type="checkbox"/> | Cadre n° IV | Absence d'unité de l'invention |
| <input checked="" type="checkbox"/> | Cadre n° V | Déclaration motivée selon l'article 35.2) quant à la nouveauté, l'activité inventive et la possibilité d'application industrielle; citations et explications à l'appui de cette déclaration |
| <input type="checkbox"/> | Cadre n° VI | Certains documents cités |
| <input type="checkbox"/> | Cadre n° VII | Certaines irrégularités relevées dans la demande internationale |
| <input type="checkbox"/> | Cadre n° VIII | Certaines observations relatives à la demande internationale |

4. Le Bureau international communiquera le présent rapport aux offices désignés conformément aux règles 44bis.3.c) et 93bis.1 mais pas avant l'expiration du délai de 30 mois à compter de la date de priorité (règle 44bis.2), sauf si le déposant a présenté une requête expresse à cet égard en vertu de l'article 23.2).

| | | |
|---------------------------------------------------------------------------------------------|--|--------------------------------------------------------------------------|
| Bureau international de l'OMPI 34, chemin des Colombettes 1211-Geneva-20, Switzerland | | Date d'établissement du présent rapport 01 November 2006 (01.11.2006) |
| no de télécopieur +41 22 338 82 70 | | Fonctionnaire autorisé Beate Giffo-Schmitt |
| Formulaire PCT/IB/373 (janvier 2004) | | e-mail: pt03@wipo.int |

PATENT COOPERATION TREATY

TRANSLATION

PCT

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

| | | | |
|------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|-----------------------------------------------------|-----------------------------|
| <div style="border: 1px solid black; width: 100%; height: 100%;"></div> | | Date of mailing (day/month/year) | See form PCT/ISA/210 |
| Applicant's or agent's file reference 9377WO | | FOR FURTHER ACTION See paragraph 2 below | |
| International application No. PCT/FR2005/000235 | International filing date (day/month/year) 03.02.2005 | Priority date (day/month/year) 09.02.2004 | |
| International Patent Classification (IPC) or both national classification and IPC B60H1/32 | | | |
| Applicant AEREL | | | |

1. This opinion contains indications relating to the following items:

| | | |
|-------------------------------------|--------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the opinion |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

| | |
|----------------------------------------|--------------------|
| Name and mailing address of the ISA/EP | Authorized officer |
| | |
| Facsimile No. | Telephone No. |

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/FR2005/000235

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/FR2005/000235

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

| | | | |
|-------------------------------|--------|-----------------------------|-----|
| Novelty (N) | Claims | 3-5, 7, 9-20 | YES |
| | Claims | 1-2, 6, 8 | NO |
| Inventive step (IS) | Claims | 3-5, 7, 10-13, 15, 18-19 | YES |
| | Claims | 1-2, 6, 8, 9, 14, 16-17, 20 | NO |
| Industrial applicability (IA) | Claims | 1-20 | YES |
| | Claims | | NO |

2. Citations and explanations:

1. Reference is made to the following document:

D1: US 4 360 368 A (LYON, ROLAND), 23 November
1982 (1982-11-23)

2. INDEPENDENT CLAIM 1

2.1 The present application does not meet the requirements set forth in PCT Article 33(1) in that the subject matter of claim 1 does not fulfil the criterion of novelty defined by PCT Article 33(2).

Document D1 describes (the references in parentheses apply to this document) an air conditioner using water evaporation for the cabs of vehicles and similar machines (abstract), of the type comprising an evaporation chamber (figure 5) in which mist-forming means are provided (figure 5: 10), air being blown into said evaporation chamber (figure 5) in order to be sent to said cab via an air outlet (figure 5: 11) and passing through at least one wet filter (figure 5: 12), characterized in that it includes deflecting means (figure 4: 6) for making said blown air and

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/FR2005/000235

Box No. V

Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

said mist converge toward dripping means provided in the vicinity of said wet filter (figure 5: 12) so that drops of water formed from the mist are directed toward the surface of said filter (figure 5: 12) that faces the inside of said evaporation chamber (figure 5) and trickle onto this surface (column 3, lines 39-47).

2.2 The same argument applies *mutatis mutandis* to the subject matter of the corresponding independent claims 16 and 20, which therefore are not novel or inventive either.

3. DEPENDENT CLAIMS 2, 6, 8, 9, 14 and 17
The claims do not contain any features that, combined with the features of any claim to which they refer, satisfy the requirements of the PCT with regard to novelty and inventive step (PCT Article 33(2) and (3)).

4. The combination of the features of claims 3-5, 7, 10-13, 15 and 18-19 is not contained in the prior art and does not obviously follow from it.